

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRUE HEALTH PRODUCTS, LLC,

Plaintiff,

ADOPTION ORDER  
20-CV-4374 (JS) (AYS)

-against-

BEAUTY BLAST, INC., 18 NUTRITION,  
INC., IURII KOROLOV, and VICTOR  
KUDRYAVTSEV,

Defendants.

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APPEARANCES

For Plaintiff: Marc E. Scollar, Esq.  
1031 Victory Blvd  
Staten Island, New York 10301

For Defendants: No appearances.

SEYBERT, District Judge:

Pending before the Court is the sua sponte Report and Recommendation ("R&R") by the Honorable Anne Y. Shields, which recommends that this action be dismissed for failure to prosecute because Plaintiff True Health Products ("Plaintiff") has failed to effectuate service upon Defendants Beauty Blast, Inc., 18 Nutrition, Inc., Iurii Korolov, and Victor Kudryavtsev (collectively, "Defendants") pursuant to Federal Rule of Civil Procedure ("Rule") 4(m). (See generally R&R, ECF No. 6.)

In her R&R, Judge Shields notes that although this action was commenced on September 17, 2020, Plaintiff never submitted summonses for issuance nor served any Defendants, despite the deadline to do so having been December 16, 2020. (Id. at 2.)

Plaintiff also failed to respond to Judge Shields' Order to Show Cause ("OTSC") why this case should not be dismissed for failure to effect service. (See Nov. 24, 2021 Elec. Order.) The OTSC included a clear warning that any "[f]ailure to comply with this [OTSC] will result in a report and recommendation to the District Court that this action be dismissed." (Id.) In light of Plaintiff's failures to respond to the OTSC and communicate with the Court, Judge Shields issued her R&R. (See R&R at 2.)

The time to object to the R&R has expired and no objections to the R&R have been filed. Upon careful review and consideration, the Court finds Judge Shields' R&R to be comprehensive, well-reasoned, and free of clear error. As such, the Court ADOPTS the R&R in its entirety.

The Clerk of the Court is respectfully directed to enter judgment accordingly and to mark this case CLOSED.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: November 7, 2022  
Central Islip, New York